

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ALEXIS HAMANN,

Plaintiff,

v.

Case No. 8:20-cv-2589-VMC-AEP

LITTLE ITALY'S MEATBALLS, LLC,
and CARL R. MEYERS, JR.,

Defendants.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Anthony E. Porcelli's Report and Recommendation (Doc. # 25), filed on March 31, 2021. Judge Porcelli recommends that Plaintiff Alexis Hamann's Amended Motion for Default Judgment (Doc. # 19) be granted in part and denied in part.

Specifically, the report recommends denying Hamann her request for pre-judgment interest (Doc. # 25 at 17), but awarding the following amounts: (1) unpaid wages in the amount of \$181.25; (2) liquidated damages in the amount of \$181.25; (3) unpaid tips in the amount of \$877.00; (4) attorney's fees in the amount of \$1,480.00; (5) and costs in the amount of

\$490.00. (Id. at 18). Judge Porcelli also recommends awarding post-judgment interest. (Id.).

As of the date of this Order, no objections have been filed and the time for filing objections has lapsed. The Court accepts and adopts the Report and Recommendation and grants in part the Amended Motion for Default Judgment.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo*

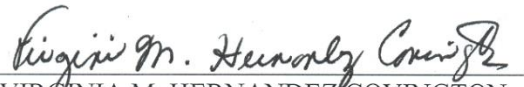
review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 25) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff Alexis Hamann's Amended Motion for Default Judgment (Doc. # 19) is **GRANTED** in part.
- (3) The Clerk is directed to enter judgment in favor of Hamann and against Defendants Little Italy's Meatballs, LLC and Carl R. Meyers, Jr. in the following amounts:
(1) unpaid wages in the amount of \$181.25; (2) liquidated damages in the amount of \$181.25; (3) unpaid tips in the amount of \$877.00; (4) attorney's fees in the amount of \$1,480.00; and (5) costs in the amount of \$490.00.
- (4) Hamann is also awarded post-judgment interest pursuant to 28 U.S.C. § 1961. Interest shall accrue from the date of this judgment at the federal statutory rate.
- (5) Hamann's request for prejudgment interest is **DENIED**.
- (6) Upon entry of judgment, the Clerk is directed to **CLOSE THE CASE**.

DONE and **ORDERED** in Chambers in Tampa, Florida, this
20th day of April, 2021.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE